SINGLE BENCH

C.S. 1001

(5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. Of 2006

PETITIONER : Hem Lal Patel S/o Shri Jagat Ram Patel, aged about 42 years, occupation service, Assistant Grade 2 posted at Janpad Panchayat Tamnar, resident of Tamnar District Raigarh (CG).

P.R. No. 3259/06
Presented by Shri Aman Hoshangabadwala
dated 20/7/06

VERSUS

RESPONDENTS : 1. The State of Chhattisgarh, through the Secretary, Admit Jati Kalyan Vibhag Department, Mantralay, D. K. S. Bhawan, Raipur (CG).

2. The Commissioner Tribal CG, Raipur (CG).

3. Collector, Raigarh (CG).

4. Pawan Patel, Accountant, Janpad Panchayat Gharghoda District Raigarh (CG).

OATH COMMISSIONER S.R. Kaushik BILASPUR TAHSIL AT

RECEIVED COPY 20/7/06 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ~~W.P.(S) No. 3695/2006~~ ..... **सन् 200**
W.P.(S) No. 3695/06

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25.7.2006

Mrs. Indira Tripathi, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the State on advance copy.

Heard.

By the instant petition, the petitioner has challenged the transfer order dated 6.7.2006 whereby he has been transferred from Janpad Panchayat Tamnaar to Janpad Panchayat Gharghoda on the ground of mutual transfer.

The first ground of challenge is that the petitioner never gave any mutual consent for his transfer in place of respondent No.4- Pawan Patel. The second ground of challenge is that the petitioner is working as Assistant Accountant (AG-II) whereas, at Gharghoda there is no such post.

Learned counsel for the petitioner submitted that the petitioner has already made representation to respondent No.3 against the impugned order, therefore, respondent No.3 be directed to decide the representation in accordance with law, to which learned counsel for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case without expressing any opinion on the merit of the case, respondent No.3 is directed to decide the representation made by the petitioner on 13.7.2006 within a period of 30 days from today in accordance with law after considering all the grievances raised by the petitioner.

In the meantime, the effect & operation of the impugned order dated 6.7.2006 (Annexure P-2) in respect of the petitioner shall remain stayed.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No. 2872/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.